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09/916,537	07/27/2001	Tamra L. Thomason	10004747-1	8559

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EXAMINER

SAIN, GAUTAM

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2176

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/916,537
Filing Date: July 27, 2001
Appellant(s): THOMASON, TAMRA L.

Nathan R. Rieth
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 22, 2005 appealing from the Office action mailed July 26, 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6651217	Kennedy	11-2003
5724520	Goheen	11-2003

6112986	Berger	9-2000
5852977	Lynch	12-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al (US 6651217, filed Sep 1999), in view of Goheen (US 5724520, issued Mar 1998), further in view of Berger et al (US 6112986, issued Sep 5, 2000).

Claim 1, Kennedy teaches

A method for completing forms, comprising the configuring the user information for merging with the form (ie., autofill form, where user can fill in missing values; the system fills in the values it already has and is ready for input from the user)(col 6, lines 44, 46, 62-67); and merging the user information into the form by population form data fields with pieces of the user information (ie., autofill form, where user can fill in missing values into the form)(col 6, lines 44, 46, 62-67); and

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Kennedy does not teach, but Goheen teaches

Reading a user data card to determine a network location at which user information to be added to a form is stored (ie., upon swiping the card, processing the user card information, payment and validation information from remotely located central computer via cellular network; the network of Goheen consists of many mobile units and the system may determine that a request is made to access information from the central servers)(col 3, lines 1-5; lines 57-58);
retrieving the user information from the network location (ie., remotely located central computer where ATM/mobile units retrieve travelers' reservation stored in the central computer)(col 3, lines 1-5),
printing a hard copy form that contains at least a portion of the user information (ie., printed out with passenger travel information)(col 7, line 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include a user ID card swappable by an ATM/mobile unit that retrieves passenger information from the central database across a network and prints out the passenger travel information at the mobile/ATM location as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and

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completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

Claim 2, Kennedy does not expressly but Goheen teaches

wherein the data card is read by a card reader of a printer that prints the hard copy form such that no separate computer is needed to generate the hard copy form (ie., automated teller system with associated printer)(col 4, lines 37-38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include an automated teller system associated with a printer as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

Claim 3, Kennedy teaches

wherein the location information comprises a universal resource locator URL (ie., URL associated)(col 5, line 33).

Claim 5, Kennedy teaches

wherein the network comprises the Internet (ie., forms on the Internet)(col 1, line 10).

Claim 7, Kennedy does not expressly teach, but Goheen teaches

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comprising the confirming authorization to access the user information (ie., card identification number and reservation number allows access upon confirmation from the mainframe)(col 4, lines 10-21)(furthermore, the ID number is one way that provides authorized access to information on the passenger)(col 5, lines 55-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include an automated teller system associated with a printer as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

Claim 8, Kennedy does not expressly teach, but Goheen teaches confirming authorization comprises receiving a correct passcode (ie., passenger ID card has an ID number that validates the passenger. Examiner interprets the ID number as analogous to passcode as both are needed to gain access and the user is granted a number on the card)(col 5, lines 50-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include an automated teller system associated with a printer as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is

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easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67).

Claim 9, Kennedy teaches

A system for completing forms, comprising means for merging the user information with a form (ie., autofill form, where user can fill in missing values into the form)(col 6, lines 44, 46, 62-67);

Goheen teaches

means for reading location information from a user data card (ie., card reader is means for reading location information from a card when a passenger swipes a card, the system identifies that information is located in the central computer)(col 3, line 58; col 2, line 68);

means for retrieving the user information from a network location identified in the location information (ie., upon swiping card, the ATM identifies the central computer holding the passengers travel information)(col 5, lines 55-60; col 3, lines 1-5);

means for printing a hard copy form that contains at least a portion of the user information (ie., printout with passenger travel info)(col 7, line 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include a card reader means for reading passenger information on a network where the information resides on the central server and the

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user can get a printout with travel information as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

Claim 10, Kennedy does not expressly teach, but Goheen teaches *means for receiving location information comprises a card reader of a printing device. the card reader being that is adapted to read data from a the user data card (ie., automated teller system with printer where a user swipes the card in a card reader)*(col 4, lines 37-38; col 3, lines 57-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include a card reader means with a printer as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

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Claim 11, Kennedy teaches

wherein the means for retrieving the user information comprises a network interface device (ie., network interface 114)(col 4, line 64)..

Claim 12, Kennedy teaches

wherein the network interface device is adapted to transmit and receive data via the Internet (ie., forms on Internet)(col 1, line 10).

Claim 13, Kennedy teaches

wherein the means for printing a hard copy form comprises a printer (ie., printer)(col 4, line 38).

Claims 14, 15, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al (US 6651217, filed Sep 1999), in view of Goheen (US 5724520, issued Mar 1998), further in view of Berger et al (US 6112986, issued Sep 5, 2000), further in view of Lynch (US 5852977, issued Dec 29, 1998).

Claim 14, Kennedy teaches

A printing device, comprising:

device memory that stores forms (ie., values for forms are stored at client computer)(col 6, line 28; col 5, line 42);

a form generation module that merges the user information with a form stored in the device memory for the purpose of printing a hard copy form that is at least partially completed (ie., autofill form, where user can fill in missing values into the form where the form can be printed upon completion via the attached printer)(col 6, lines 44, 46, 62-67; col 4, line 48);

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printing hardware with which hard-copy documents can be generated (ie., printer)(col 4, line 48);

Kennedy does not teach, but Goheen teaches

a card reader that is adapted to read location information from a user data

card (ie., upon swiping the card, processing the user card information, payment and validation information from remotely located central computer via cellular network; the network of Goheen consists of many mobile units and the system may determine that a request is made to access information from the central servers)(col 3, lines 1-5; lines 57-58); and

a network interface device that is adapted to retrieve user information from a network location identified in the location information (ie., upon swiping the card, processing the user card information, payment and validation information from remotely located central computer via cellular network; the network of Goheen consists of many mobile units and the system may determine that a request is made to access information from the central servers)(col 3, lines 1-5; lines 57-58);

Kennedy in view of Goheen does not teach, but Lynch does teach the amended portions of the claim regarding the printer device and the printer device memory (ie., a printer (20) to print financial documents such as cheques (which Examiner interprets as forms) upon user inserting a user card)(see Abstract section).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include a user ID card swipable by an ATM/mobile unit that retrieves passenger information from the central database across a network and

prints out the passenger travel information at the mobile/ATM location as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67), further to include a printer to print cheques upon the user inserting a user card as taught by Lynch, providing the benefit of a print means to print on incorrectly printed documents a permanent indication of invalidity from a well known automated teller machine which allows self service dispensing of printed documents, insurance cover notes, loan records (Lynch, col 1, lines 7-13).

Claim 15, Kennedy does not teach, but Goheen teaches

wherein the card reader is adapted to read information from a magnetic strip of the user data card (ie., magnetic bar strip; magnetic card reader)(col 6, line 49; Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kennedy to include a magnetic strip on a user ID card swipable by an ATM/mobile unit that retrieves passenger information from the central database across a network and prints out the passenger travel information at the mobile/ATM location as taught by Goheen, providing the benefit of a method and apparatus for data management which puts essential information on a credit card-like medium, that is easily scanned into a computer terminal where data is contained at one or more

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locations (Berger, Abstract). Furthermore, Berger provides the motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67)

Claim 17, Kennedy teaches

further comprising a network browser (ie., internet browser)(col 2, line 28).

Claim 18, Kennedy teaches

wherein the network browser is an Internet browser (ie., internet browser)(col 2, line 28).

Claim 19, Kennedy teaches

wherein the printing device comprises a printer (ie., printer)(col 4, line 48).

Claim 20, Kennedy teaches wherein the printing device comprises a multifunction peripheral (MFP) device (ie., peripheral output device ... printer)(col 4, line 48).

Response to Arguments

Appellant's arguments filed 12/22/05 have been fully considered but they are not persuasive. Appellant argues that under MPEP 2143 that there is no suggestion or motivation in the prior art to modify Kennedy reference in the manner suggested in the Office Action (starting Appellant's Brief, page 9) and the Lack of Teaching/Suggest of All Claim Limitations (starting Appellant's Brief, page 13). The Examiner disagrees. First, motivation can be established by showing some objective teaching in the prior art or generally available knowledge to one of ordinary skill in the art that would lead that individual to the claimed invention. The motivation does not have to be found in the reference themselves, it can be ascertained by knowledge generally available to one or

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ordinary skill in the art. In this case, all three references (Kennedy, Goheen and Berger) have as the core technology, a database on a central (or main) site which is disparate from the client machines (ie., a network) which is accessible to multiple users, where the database contains user data that is used to complete a form (a present form as taught by Kennedy and Berger or a future form as taught by Goheen). The Examiner used the Berger reference as evidence to show the objective motivation to combine the card identification system to access more information on a user via a mobile unit (Berger, col 4, line 50) and completing portions of a form, in order to save time and prevent errors in filling out forms (Berger, col 4, lines 60-67). The Berger reference was initially relied upon to teach/suggest the claim limitations in a 35 USC 102(e) rejection (see Non Final Rejection on 8/12/2004). Upon amendment/remarks by the Appellant, Kennedy and Goheen were added as references to *expressly* suggest limitations while the Berger reference provided the motivation in the art at that time to combine the references to arrive at a finished product equivalent to the claimed invention. With the broadest reasonable interpretation of the claims, the combination of references would've suggested the claimed invention to one of ordinary skill (the core concept of a data card triggering processes on a database stored main/central server with user/customer/passenger information used to at least partially fill out a form/application, which would be printed or transmitted. Additionally, each of the references attempt to resolve the same problem as the invention of the Appellant, which is to store data in a central database and later recall that information to fill out a form and thus reduce time and effort in filling out form by a user. Specifically, Berger teaches accomplishing this

task in a medical office setting (as does the Appellant's instant application). Although Goheen teaches the technology in an ATM for an airline ticket system, the underlying technology (of the data stored in the central database used for forms/applications) is analogous to that of Kennedy and Berger. Specifically, Goheen allows a user's information to be stored on a database (via access with an ATM card) where upon entering the user's information using the I.D. card, there is existing information for the traveler stored on the main computer (presumably in a database which is accessed by identification information)(col 3, lines 50-55). Furthermore, with Goheen the user's information is later used for other applications and other forms, such as to simplify future applications. For example, the mainframe computer retains passenger records for bonus programs and frequent flyer mileage and provides validation for other activities (col 4, lines 10-26). So, Goheen does discuss using a card to access data on a network database for a user where that data is used for future applications. Berger teaches databases which import data based on the user (which is identified by the Medcompucard), the data is imported from the database (item 82) where the data resides on a physicians database (item 84 of Fig 8) and the insurance form is printed based on that data (item 86 of Fig 8).

The Appellant further argues that there was no motivation to combine the Kennedy and Goheen references for the Appellant's proposed modification. Specifically, Appellant asserts that there was no motivation to combine the reference to teach "reading a user data card to determine a network location at which user information to be added to a form is stored" and "printing a hard copy form that contains

at least a portion of the user information" (see top page 10). Examiner disagrees and asserts that the proposed claimed invention was very well known in the art at the time of the invention. The Examiner has established the motivation to combine Kennedy and Goheen by showing that the proposed combination was well known in the prior art at the time of the invention (see arguments above).

Appellant argues for the Dependent Claims, that claim 2 and 10, the references do not teach or suggest printer or printing device. The Examiner disagrees because Berger teaches printing the insurance form (Fig 8, item 86) and the printing was presumably done from a device that printed. For Claim 3, Goheen would modify Kennedy because Goheen teaches retaining user information in a database for future needs (ie., validations) or frequent flyer information and Kennedy takes data from a database to fill out a form with URL.

Appellant argues against Examiner's arguments presented in the Advisory Action Dated October 7, 2005 (middle of page 15 of Brief). The Examiner addresses these Answers in the response as argued above by the Examiner.

For Claims 14, 15 and 17-20, The Appellant argues against the use of the Lynch reference. Appellant argues that the kiosk shown in Lynch is not a printing device that generates forms. The Examiner disagrees because the kiosk shown in Fig 1 and Fig 2 shows item 10 as a device that prints a receipt for a user, so for any user of the kiosk, this is a printing device, for printing checks (which Examiner interprets as equivalent to forms), which is triggered by a user inserting a user card. Appellant argues against the motivation to combine Lynch with the Kennedy, Goheen and Berger. The Examiner

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disagrees because the kiosk does have a card reader and Goheen and Berger talk significantly about card readers to initiate a process for a user. Goheen even shows a printing device (item 12) on an ATM (similar to Lynch's printer on an ATM). Appellant argues that the references do not teach about a network browser (for claim 18) and does not teach Internet-based retrieval of form information (for claims 5 and 12).

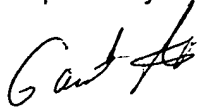
Examiner disagrees because Kennedy teaches an Internet browser where user enters in form information (see Fig 3). Appellant argues that the references do not teach "printer". The Examiner disagrees because the kiosk shown in Fig 1 and Fig 2 shows item 10 as a device that prints a receipt for a user, so for any user of the kiosk, this is a printing device, for printing checks (which Examiner interprets as forms), which is triggered by a user inserting a user card.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,




Gautam Sain

March 13, 2006

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Conferees:

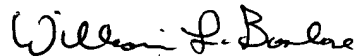
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